

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE) **Hearing Location: Albany**
) **Hearing Date: May 1, 2013**
) **Hearing Time: 9:15 a.m.**
WRIGHT, BRADLEY)
(SSN xxx-xx-4872))
DEBTOR.) **CASE NO. 09-14032 rel**
) **CHAPTER 7**

**TRUSTEE'S NOTICE OF INTENT TO SELL NON-EXEMPT AGRI-MARK, INC.
EQUITY REPAYMENTS PURSUANT TO 11 U.S.C. § 363(b)**

TO ALL PARTIES IN INTEREST:

1. PLEASE TAKE NOTICE:

Pursuant to 11 U.S.C. § 363(b), and Fed. R. Bankr. P. Rules 2002(a)(2), (c)(1), (i) and (k) and 6004 and LBR 6004-1, this is a notice by Douglas J. Wolinsky, the Chapter 7 Trustee, of a private sale of personal property that is other than cash collateral, not in the ordinary course of business. The proposed sale is an arm's-length transaction in that it is proposed in good faith between parties with independent interests.

2. DESCRIPTION OF THE PROPERTY TO BE SOLD:

The Trustee seeks this Court's approval to sell the Bankruptcy Estate's non-exempt equity repayments from Agri-Mark, Inc., with a current value of \$4,883.24 (the "Property"). The Property will be distributed through four equal, annual payments on May 31 of each year, subject to approval by the Agri-Mark, Inc. Board of Directors.

The Debtor has claimed an exemption in the Property in the amount of \$720.00.

3. TERMS OF SALE:

The Property will be sold to the Zia Trust Inc., Custodian for the Benefit of Lourdes Nieto Spears, IRA, 5712 Valley Oak, El Paso 79932, for \$3,250.00. The Trustee is of the opinion, based on his judgment and experience, that the proposed sale is in the best interests of the Bankruptcy Estate. The Trustee is of the opinion that further marketing the Property would not result in more money for the Bankruptcy Estate.

The estimated amount to be realized by the Bankruptcy Estate from the proposed sale is in the range of \$2,530.00 - \$3,250.00.

4. CONDITION OF PROPERTY:

The Property will be sold "as is-where is" with no warranties or representations of any kind whatsoever, whether expressed, implied or imposed by law.

5. LIENS AND ENCUMBRANCES:

The Property is sold subject to any existing liens or encumbrances. The Trustee, however, is not aware of any such liens or encumbrances.

6. METHOD OF CONVEYANCE:

The Trustee will execute an Authorization to Pay a Third Party, upon approval of the proposed sale.

7. OBJECTIONS TO SALE OF PROPERTY:

Persons objecting to the sale of property proposed herein must file a written objection with Kim F. Lefebvre, Clerk of the U.S. Bankruptcy Court for the Northern District of New York, James T. Foley Courthouse, 445 Broadway, Suite 330, Albany, New York 12207, and effectuate service of a copy thereof on Douglas J. Wolinsky, Chapter 7 Trustee, at P.O. Box 1489, Burlington, Vermont 05402-1489, both on or before April 24, 2013.

A hearing will be held on May 1, 2013, at 9:15 a.m., at the United States Bankruptcy Court, James T. Foley Courthouse, 445 Broadway, Suite 306, Albany, New York to hear any parties who have filed written objections as set forth above.

The proposed sale is subject to higher or better offers at the hearing on May 1, 2013.

8. PARTIES TO BE NOTICED:

All creditors, parties in interest and other parties having so requested or appeared and whose names are on the current mail matrix will be noticed.

9. TIME FOR NOTICING:

The Federal Rules of Bankruptcy Procedure require a twenty-one (21) day notice of this proposed sale.

10. WAIVER OF THE STAY PERIOD

Absent any objections to the proposed sale or in the event any and all objections are either withdrawn or overruled, the Trustee seeks an Order eliminating the 14-day stay period provided under Fed. R. Bankr. P. 6004(h) and allowing the sale to close immediately.

Dated: March 12, 2013

ATTORNEYS FOR DOUGLAS J. WOLINSKY
CHAPTER 7 TRUSTEE

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